

REMARKS

By the present amendment, claims 19-22 are pending in the application.

Support For Claims

Claim 19

New independent claim 19 is based upon prior independent claim 14 wherein the reinforcing ribs are specified as being in the shape of U. Prior independent claim 14 specified that the reinforcing ribs were in the shape of U or V. The present amendment contains no argument for patentability based upon U shape or V shape. The limiting of new independent claim 19 to U shape is not for purposes of patentability. The applicants desire a separate independent claim for shape of U (claim 19) and for shape of V (claim 20).

New independent claim 19 specifies that the U shape reinforcing ribs are welded to both the columnar structural member and the base plate or coupling flange.

With reference to the U shape embodiment of Fig. 1, the specification discloses at page 6, lines 30-34 that the reinforcing ribs 3 are welded to both the structural member 1 and the coupling flange 2.

Claim 20

New independent claim 20 is based upon prior independent claim 14 wherein the reinforcing ribs are specified as being in the shape of V. With reference to the discussion of new independent claim 19, the limiting of new

independent claim 20 to V shape is not for purposes of patentability.

New independent claim 20 specifies that the V shape reinforcing ribs are welded to both the columnar structural member and the base plate or coupling flange.

With respect to the V shape embodiment, e.g., specification page 8, line 37 - page 9, line 9, the specification discloses at page 9, lines 7-9 that the other structure and its functional effects are the same as the other U shape embodiments described before.

Claim 21

New independent claim 21 is the same as new independent claim 19 except that "columnar structural member" has been replaced with --structural member--.

Note, original claim 1 was directed to a "structural member". With regard to the U shape embodiment of Fig. 1, the specification at page 6, line 11 discloses "1 designates a structural member". A steel pipe is given as an example at page 6, line 12 stating "such as a steel pipe". Page 7, lines 28-32 of the specification discloses that "structural member 1 is shown as a round steel pipe in any of the relevant drawings, but it has to be noted that a square steel pipe may be used in place of the round pipe, or a sectional steel may be used as the structural member 1 as well".

The specification at page 1, line 9 discloses that the structural member can take various forms.

Claim 22

New independent claim 22 is the same as new independent claim 20 except that "columnar structural member" has been replaced with --structural member--.

Note, original claim 1 was directed to a "structural member". With regard to the V shape embodiment, page 9, lines 1-2 of the specification discloses a "structural member 1" for the V shape embodiment. With regard to the V shape embodiment, page 9, lines 7-9 discloses that the other structure are the same as the other embodiments described before.

The specification at page 1, line 9 discloses that the structural member can take various forms.

New matter is not being presented by the present amendment.

Drawings

The Office Action Summary and Detailed Action advised that the proposed drawing correction filed 09 July 2003 is approved by the Examiner.

The proposed drawing correction filed 09 July 2003 corrected Fig. 22 by inserting the label --Prior Art--.

A Replacement Sheet for Fig. 22 with the approved drawing correction is attached to this amendment.

§112, ¶1

Claims 17 and 18 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

By the present amendment, claims 17 and 18 have been canceled.

By the present amendment, the rejection of claims 17 and 18 under 35 U.S.C. §112, first paragraph, is now moot.

It is therefore respectfully requested that the rejection under 35 U.S.C. §112, first paragraph, be withdrawn.

§112, ¶2

Claims 15 and 16 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

By the present amendment, claims 15 and 16 have been canceled.

By the present amendment, the rejection of claims 15 and 16 under 35 U.S.C. §112, second paragraph, is now moot.

It is therefore respectfully requested that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

§102

Claims 14-18 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,205,529 to Killian.

By the present amendment, claims 14 to 18 have been canceled.

The rejection over Killian, as applied to new independent claims 19-22 of the present amendment, is respectfully traversed.

U.S. Patent No. 5,205,529 to Killian was first cited in the Office Action mailed October 23, 2003.

Patentability

As previously discussed, the present invention, as defined in new independent claims 19-22, required the U shape or V shape reinforcing ribs to be weld to both the structural member and to the base plate or coupling flange.

Cited U.S. Patent No. 5,205,529 to Killian discloses at Col. 3, lines 21-65 and in Fig. 2 a steel member or gusset 16 disposed between steel barrel 11 and steel arm 12. There is a plug weld 20 welding bent foot 21 of gusset 16 to arm 12. Bent foot 17 of gusset 16 "presses hard against barrel 11 at interface 19". (Col. 3, lines 35-36). Moreover, Col. 3, lines 59-61 Killian discloses "causes the gusset 16 to force its upper foot 17 against the barrel 11 for friction-damping the motion of foot 17 on barrel 11".

Foot 17 of Killian is not welded to barrel 11. Foot 17 of Killian has a friction contact to barrel 11 for purposes of damping. See, e.g., claim 1, Col. 7, lines 5-10. See also Col. 1, line 9 of Killian where it is disclosed that the Killian invention is directed to a friction-damping gusset.

In Fig. 4 of Killian, interface 42 is a frictional interface. See Col. 4, line 67 to Col. 5, line 1.

In Fig. 6 of Killian, interface 58 is a frictional interface. See Col. 5, lines 21-28.

The frictional interface of Killian does not disclose or suggest the present invention. The reinforcing ribs of new independent claims 19-22 of the present invention are welded to both the structural member and to the base plate or coupling flange.

It is therefore submitted that new independent claims 19, 20, 21 and 22 of the present amendment are patentable over U.S. Patent No. 5,205,529 to Killian.

Information Disclosure Statement

An Information Disclosure Statement is being forwarded with this Request For Continued Examination (RCE) .

CONCLUSION

It is submitted that in view of the present amendment and foregoing remarks, the application is now in condition for allowance. It is therefore respectfully requested that the application, as amended, be allowed and passed to issue.

Respectfully submitted,

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